IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Bail Appl..No. 2114 of 2007()

Crime No.59/07 of Chandera Police Station

PETITIONERS :

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1. SHIHABUDDIN K.M,AGED 32 YEARS,
S/O.K.M.FATHIMA,MADAPPURAM,KAVUMTHALA,
PADANNA VILLAGE,KASARGOD.

2. ZAINUDDIN K.M,AGED 33 YEARS,
S/O.K.M.FATHIMA,MADAPPURAM,KAVUMTHALA,
PADANNA VILLAGE,KASARGOD.
(HE IS NOW WORKING IN A GULF COUNTRY)

BY ADV. SRI.M.V.AMARESAN

RESPONDENTS:

STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR,HIGH COURT OF KERALA ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2114 OF 2007

Dated this the 10th day of April, 2007

O R D E R

Petitioners, who are brothers and accused Nos.1 and 2 in Crime No.59/07 of Chandera Police Station for an offence punishable under section 498A, seek anticipatory bail. The first petitioner is the husband and the second petitioner is the brother-in-law of the defacto complainant. Marriage between the first accused and the defacto complainant was on 13.3.05. Within two years of marriage the marital partners have parted company.

2. Having regard to the allegations in the complaint and other circumstances of the case, eventhough I am not inclined to grant anticipatory bail to the petitioners, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 17.4.2007 and 19.4.2007 for the purpose of interrogation. The petitioners shall, thereafter, be produced on the same day before the Magistrate having jurisdiction, who shall release the petitioners on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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